

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KENNETH OLIVER OWENS,

Plaintiff,

v.

CITY OF MENLO PARK POLICE
DEPARTMENT,

Defendant.

Case No. [16-cv-03638-JD](#)

ORDER OF DISMISSAL

Re: Dkt. No. 2

This case was opened when plaintiff submitted a civil complaint cover letter to the Court. In an effort to protect his rights, it was filed as a new case. Plaintiff was advised that he needed to file a formal complaint and was given twenty-eight days to do so. He also was sent a notice that he had not paid the filing fee or submitted a complete application for leave to proceed in forma pauperis ("IFP"); again, he was allowed twenty-eight days to either pay the fee or file the application. A copy of the Court's form for applications to proceed IFP was provided with the notice, along with a return envelope.

More than twenty-eight days has passed and while plaintiff has submitted a complaint, he has not paid the filing fee or filed an application to proceed IFP. Therefore, this case is **DISMISSED** without prejudice and the incomplete motion to proceed IFP (Docket No. 2) is **DENIED**. No fee is due. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: August 30, 2016



JAMES DONATO
United States District Judge

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CERTIFICATE OF SERVICE

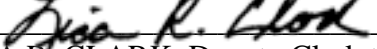
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 30, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kenneth Oliver Owens ID: Prisoner Id 290606
Maguire Correctional Facility
300 Bradford Street
Redwood City, CA 94063

Dated: August 30, 2016

Susan Y. Soong
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO